

PROGRAMS OF INTEREST

BRADY HANDGUN ACT

The U. S. Congress enacted the “Brady Handgun Violence Protection Act” on Nov. 28, 1993, and it became effective February 28, 1994. The “Brady Bill” imposes a national five business day waiting period for the purchase of a handgun.

- Total Kentucky Handgun Purchase Applications Received 67,830
 - Total Kentucky Purchase Denials 1,262
 - Percent Kentucky Denials 2%
- (January 1, 1996 - December 31, 1996)

Handgun Purchase Facts:

1) A person must be 21 to purchase a handgun.	4) Law enforcement officers may purchase a handgun in another state if it is necessary for his/her job and has written authorization to this effect from his/her administrator. Identification and background check are still necessary.
2) No one under 21 may pawn a handgun or retrieve it from pawn.	5) Single shot, antique, or black powder pistols are not considered handguns - no check is required.
3) An individual cannot buy a handgun outside of his state of residency.	

Reasons for Denial of Handgun Sale

Any individual who:

- Has been convicted of a felony.
- Is under indictment for a felony but has not yet gone to court.
- Is an unlawful user of a controlled substance.
- Is drug dependent.
- Has been committed to a mental institution or adjudicated as mentally defective.
- Is an illegal or unlawful US alien.
- Received a dishonorable discharge from the military.
- Has renounced US citizenship.
- Is subject to court order restraining him/her from harassing, stalking, or threatening another.
- Cannot prove residency (Ky.) with proper identification.
- Has an outstanding warrant on the statewide warrant system.
- Cannot prove the disposition as being dismissed or amended to a misdemeanor, or found not-guilty.



Purchase Denials By Reason

(January 1, 1996 - December 31, 1996)

Violent Felony Offenses	395	31%	Domestic Violence Orders	288	23%
Criminal Non-Violent Felony Offenses	380	30%	Outstanding Warrants	22	2%
Drug Felony Offenses	177	14%			

DOMESTIC VIOLENCE

DOMESTIC VIOLENCE is a problem which has been of major news focus both nationally and in Kentucky. The numbers of reported cases and of victims served in protective shelters is proof that this is a serious public safety issue worthy of priority response. Domestic violence includes any of the following crimes when committed by one family member/partner against another: homicide, kidnapping, sex offenses, stalking, assault, and terroristic threatening.

ADMINISTRATIVE OFFICE OF THE COURTS (AOC)

In FY96, AOC reports that **26,684*** petitions were filed by persons seeking Domestic Violence Protective Orders. There were **24,634*** disposition case closings. (AOC does not distinguish between cases dismissed and types of orders issued).

***Both of these figures include estimates from Jefferson County due to “automated system conversion” and data not being readily accessible.**

Statistical Source: AOC

BRADY BILL

Handgun purchase denials due to applicant having Domestic Violence Order against him/her	288
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Percent of total denials attributed to Domestic Violence (calendar year 1996)	23%
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Statistical Source: KY State Police

LAW INFORMATION NETWORK OF KY (LINK) DOMESTIC VIOLENCE FILE (ACTIVE & HISTORY) FY 96

	<u>1996</u>	<u>1995</u>
Emergency Temporary Orders	22,754	22,429
Emergency Temporary Orders - Caution	3,971	3,596
Emergency Protective Orders	16,446	13,543
Emergency Protective Orders - Caution	1,665	1,003
Domestic Violence Summons	<u>602</u>	<u>655</u>
Total	45,428	41,226

“LINK” Domestic Violence File records (active and history) reflect a 2.4% increase from FY95 to FY96

Kentucky law mandates Domestic Violence Protective Orders be entered into the LINK Domestic Violence File. LINK provides notice to officers of existence and status of protective orders including “Caution Indicators”. The caution indicators are: Weapon Involved, Believed to be Armed/Dangerous, and Divorce/Custody/Visitation Case Pending

Statistical Source: KY State Police

DOMESTIC VIOLENCE

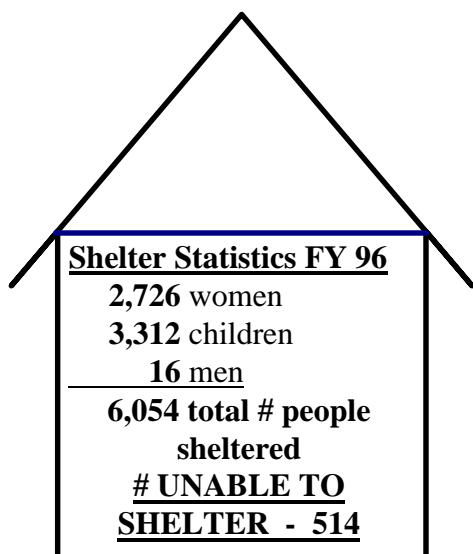
REPORTS TO THE DEPARTMENT FOR SOCIAL SERVICES (DSS)

The 1976 Kentucky General Assembly enacted KRS 209, the Adult Protection Act, which mandates reporting any known or suspected cases of adult abuse, neglect or exploitation to the Department for Social Services (DSS), Cabinet for Families and Children (formerly Human Resources). DSS protective and support services are provided to adult victims, upon request. In 1978, the statute was expanded to include the mandatory reporting and delivery of voluntary protective services to victims of spouse abuse. Law enforcement agencies continue to serve as the primary reporting source to DSS and often work together in responding to violent families.

DSS Adult and Child Abuse 24-Hour Toll-free Reporting Hotline 1-800-752-6200

Total Kentucky Adult Protection Reports Received by DSS in FY '96	40,452
Domestic Violence Reports (Reported abuse by a spouse, former spouse, or cohabiting partner)	28,583
Percent of Total Adult Protection Reports due to Domestic Violence	71%
Percent Decrease of Domestic Violence Reports from FY '95	6%

Kentucky has a regionalized network of 15 state-funded spouse abuse centers with shelter capacity for 356 people. Spouse abuse centers also provide crisis line services, advocacy, follow-up counseling, information and referral, community education programs and professional training.



Statistical Source: Cabinet for Families and Children, Dept. for Social Services (CFC/DSS)